

REMARKS

Claims 1-21 are pending in this application with claims 11 and 12 having been withdrawn from consideration. By this Amendment, claims 1-19 are amended, and claims 20 and 21 are added. Claims 1, 11 and 13 are independent. Reconsideration of the application is respectfully requested.

I. Amendment

Support for the amendments to claims 1 and 13 can be found in the specification at, for example, page 1, lines 20-23 and page 76, line 23 - page 77, line 17. Claims 2-12 and 14-19 are amended for form. Support for new claims 20 and 21 can be found in the specification in, for example, Fig. 13. Thus, no new matter is added.

II. Interview

The courtesies extended to Applicant's representative by Examiner Iwarere at the personal interview held on June 17, 2010, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicant's record of the interview.

III. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-10 and 13-19 under 35 U.S.C. §103(a) over U.S. Patent No. 7,409,356 to Hood in view of U.S. Patent Application Publication No. 2004/0034558 to Eskandari. This rejection is respectfully traversed.

Independent claims 1 and 13 recite, *inter alia*, "the product type condition is a condition that indicates a scale of a product type classification, the product type classification is derived from the common main starting materials" and "the common main starting materials include at least one of iron ore, iron and steel." The applied references fail to teach, or to have rendered obvious, the recited features of independent claims 1 and 13.

IV. Product Type Condition

As discussed during the interview, Hood fails to teach, or to have rendered obvious, that the product type condition is a condition that indicates a scale of a product type classification, and that the product type classification is derived from the common main starting materials. Eskandari fails to cure the deficiencies of Hood.

V. The Recited Common Main Starting Materials

As discussed during the interview, Hood fails to teach, or to have rendered obvious, that the common main starting materials include at least one of iron ore, iron and steel. Eskandari fails to cure the deficiencies of Hood.

* * * * *

As discussed above, the applied references fail to teach, or to have rendered obvious, the recited features of independent claims 1 and 13.

The dependent claims are patentable at least due to their dependence on allowable independent claims 1 and 13 and for the additional features they recite.

Accordingly, withdrawal of the rejection of the claims is respectfully requested.

VI. Claims 20 and 21 Are Patentable

Claims 20 and 21 are added and patentable at least due to their dependence on allowable independent claims 1 and 13 and for the additional features they recite.

VII. Rejoinder

Rejoinder of withdrawn claim 12 is respectfully requested upon allowance of independent claim 1.

VIII. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Amendment Transmittal
Petition for Extension of Time

Date: September 23, 2010

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